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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

PITTRA G.B. INTERNATIONAL, INC.

Debtor.

Case No: 06-10889 (MS)

Chapter 7

**REPLY DECLARATION OF
GEORGE R. HIRSCH**

GEORGE R. HIRSCH, of full age, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am a member of Bressler, Amery & Ross, P.C., attorneys for Merrill Lynch Business Financial Services Inc. ("MLBFS"). I make this declaration in response to the Trustee's opposition to MLBFS' motion to dismiss this bankruptcy case.

2. The Trustee's unverified Letter Memorandum erroneously asserts that we undertook no investigation before filing this motion and that the motion was a response to the Trustee's motion to compel.

3. Prior to filing this motion, I personally reviewed thousands of pages of documents, many of which had been produced by the Becker Meisel and Budd Lerner law firms. I also reviewed deposition and Rule 2004 examination transcripts and listened to Section 341(a) recordings.

4. My review led to the questions raised by this motion. Those questions remain unanswered to this day, as the answers depend upon the credibility of Paulette Krelman and Arthur Kupperman. Ms. Krelman and Mr. Kupperman live and work together. Since 1995, they have “spent most of the time together.” See, Exhibit “A” hereto. April 19, 2007 Transcript at 47:11-48:10.

5. Testifying in a Rule 2004 Examination on April 19, 2007 in her own bankruptcy case (Case No: 07-10121) on April 19, 2007, Paulette Krelman claimed to not remember if she was shareholder or director of PITTRA G.B. International, Inc., the Debtor herein. See, Exhibit “A” hereto, Tr. at 54:16-18, 55:12-14. She also testified that Arthur Kupperman signed her name to documents without authorization. Tr. at 96:10-19.

6. As for the instant motion to dismiss being a “response” to the Trustee’s motion to compel, the short time frame between filings demonstrates the inaccuracy of that assertion. The Trustee’s motion to compel was filed at 10:05 a.m. on October 23, 2007. See, Exhibit “B” hereto. We filed the instant motion to dismiss that same afternoon. See, Exhibit “C” hereto. We also hand delivered to the Trustee’s counsel all documents which we had not produced previously, except for MLBFS’ internal operating manuals, guidelines, and procedures. We objected to the Trustee’s request for those. See, Exhibit “D” hereto. In fact, we had been preparing the motion to dismiss for some time before the motion to compel. This law firm’s document management system reflects that the first draft of my Declaration in support of this motion to dismiss was typed on October 17, 2007, nearly a week before the Trustee filed the motion to compel. See, Exhibit “E” hereto.

7. This motion to dismiss is not about MLBFS or its motives. MLBFS holds a perfected lien on the assets of this Debtor. MLBFS has lost more to the Debtor and its principals than any other creditor. MLBFS is the single largest creditor of this bankruptcy estate. We brought this motion because a bankruptcy case requires proper corporate authorization, and there is a serious question as to whether this case was properly authorized.

8. The known facts are that the directors of the Debtor were Ms. Krelman and Mr. Kupperman. We then have the following - all from Paulette Krelman and Arthur Kupperman who have been inseparable since 1995:

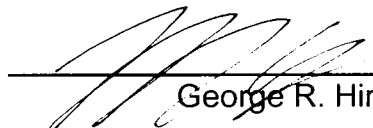
- A. Letter regarding sale of stock and resignation letter purportedly from Paulette Krelman dated November 1, 2004;
- B. A Financial Statement from Paulette Krelman to MLBFS dated May 26, 2005 stating that she is a partner, member, or officer and a shareholder of the Debtor;
- C. Arthur Kupperman's signature on the Debtor's Petition as "sole director;"
- D. Paulette Krelman's Schedules in 07-10121, which on their face indicate that she is a shareholder of PITTRA GB International, Inc. without any end date whatsoever;

- E. Paulette Krelman's April 19, 2007 Rule 2004 testimony that she does not recall if she was a shareholder or director of PITTRA;
- F. Paulette Krelman's April 19, 2007 Rule 2004 testimony that Arthur Kupperman signed her name to documents without her authorization; and
- G. Paulette Krelman's November 13, 2007 Declaration (first sent to me on November 19) that she signed the sale and resignation letters but that she did not sign the 2005 Financial Statement. She does not say that she did not authorize the Financial Statement.

9. Respectfully, the facts are the facts. The documents are inconsistent with each other, and Ms. Krelman's Rule 2004 testimony does not easily reconcile with her new Declaration, which itself does not answer all of the open questions. It is up to the Court to decide whether or not these facts and documents warrant further inquiry (such as, for example, to assess the credibility of Ms. Krelman and/or Mr. Kupperman).

10. Finally, I note that the Trustee's unverified contention that I did not attempt to reach his counsel following receipt of Ms. Krelman's Declaration is incorrect.

I declare under penalty of perjury that the foregoing is true and correct.


George R. Hirsch

Dated: November 29, 2007

EXHIBIT “A”

2 ----- x

IN RE:

3

PAULETTE KRELMAN

4

Chapter 7

Debtor,

Case No.

5

07-10121

----- x

6

7 DEPOSITION of PAULETTE KRELMAN, taken by
8 the Respective Parties, pursuant to subpoena,
9 held at the offices of Bressler, Amery & Ross,
10 P.C., 325 Columbia Turnpike, Florham Park, New
11 Jersey, on April 19th, 2007, at 10:12 a.m., before
12 a Notary Public of the State of New York.

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23 BARRISTER REPORTING SERVICE, INC.

120 Broadway

24 New York, N.Y. 10271

212-732-8066

25

<p style="text-align: right;">46</p> <p>1 Krelman</p> <p>2 make any comments during the course of</p> <p>3 the deposition. I was simply</p> <p>4 attempting to clarify a bit of</p> <p>5 confusion that I had with respect to</p> <p>6 an issue.</p> <p>7 Furthermore, I think that I</p> <p>8 have the right to interject an</p> <p>9 objection to form without making a</p> <p>10 speaking objection. To the extent</p> <p>11 that that can be accomplished with</p> <p>12 Mr. Lubetkin, I certainly can do so.</p> <p>13 I don't intend to interject myself in</p> <p>14 this deposition.</p> <p>15 MR. HIRSCH: If you make an</p> <p>16 objection to the form, it is not on</p> <p>17 behalf of the witness; is that</p> <p>18 correct?</p> <p>19 MR. POLAK: That's correct.</p> <p>20 MR. HIRSCH: But you'll only do</p> <p>21 that if you're unsuccessful through</p> <p>22 the other mechanisms that we've</p> <p>23 discussed?</p> <p>24 MR. POLAK: That's correct. Is</p> <p>25 there a particular part of your leg --</p>	<p style="text-align: right;">48</p> <p>1 Krelman</p> <p>2 Q How would you describe the extent of</p> <p>3 the time you spend together?</p> <p>4 A We're most of the time together.</p> <p>5 Q And that's been true for how long?</p> <p>6 A For as long as we have started working</p> <p>7 together.</p> <p>8 Q And that was when?</p> <p>9 A It started in '95, to the best of my</p> <p>10 recollection.</p> <p>11 Q Do you and Mr. Kupperman speak with</p> <p>12 each other?</p> <p>13 A Yes.</p> <p>14 Q Do you speak with each other about the</p> <p>15 work you're doing?</p> <p>16 A Yes.</p> <p>17 Q And the work that he's doing?</p> <p>18 A I speak about mostly what I'm involved</p> <p>19 in. I cannot say things that he's involved</p> <p>20 in that I don't know.</p> <p>21 Q Obviously, you would agree that you</p> <p>22 can only know what you know?</p> <p>23 A Correct.</p> <p>24 Q Does Mr. Kupperman speak?</p> <p>25 A Yes.</p>
<p style="text-align: right;">47</p> <p>1 Krelman</p> <p>2 MR. LUBETKIN: Off the record.</p> <p>3 (Discussion held off the</p> <p>4 record.)</p> <p>5 MR. HIRSCH: The record should</p> <p>6 reflect that counsel are all laughing</p> <p>7 and I'm not sure whether that's at me</p> <p>8 or at what Mr. Lubetkin said or just</p> <p>9 the general situation, but it's nice</p> <p>10 to have people laugh.</p> <p>11 Q Do you live with Mr. Kupperman?</p> <p>12 A Yes.</p> <p>13 Q Do you work with Mr. Kupperman?</p> <p>14 A Yes.</p> <p>15 Q Do you do other things with</p> <p>16 Mr. Kupperman?</p> <p>17 A What's "other things"?</p> <p>18 Q Dine?</p> <p>19 A Yes.</p> <p>20 Q Go to the movies?</p> <p>21 A Yes -- we don't go to the movies, but</p> <p>22 yes I do other things.</p> <p>23 Q You and Mr. Kupperman spend a fair</p> <p>24 amount of time together?</p> <p>25 A Yes.</p>	<p style="text-align: right;">49</p> <p>1 Krelman</p> <p>2 Q He talks to you; doesn't he?</p> <p>3 A Yes.</p> <p>4 Q If he's going away, he's leaving on a</p> <p>5 business trip, does he tell you where he's</p> <p>6 going?</p> <p>7 A Yes.</p> <p>8 Q Do you have any reason to believe that</p> <p>9 he is not truthful with you about his</p> <p>10 travels?</p> <p>11 A No reason.</p> <p>12 Q And other than the one trip you</p> <p>13 mentioned to the Caribbean, to the best of</p> <p>14 your knowledge, has Mr. Kupperman been to the</p> <p>15 Caribbean since 1995?</p> <p>16 A To the best of my recollection, no.</p> <p>17 Q And how about any other country in the</p> <p>18 western hemisphere south of the border</p> <p>19 between the United States and Mexico?</p> <p>20 A I do not recall, no.</p> <p>21 Q I do not recall, is that the same as</p> <p>22 no?</p> <p>23 MR. LUBETKIN: I object to the</p> <p>24 form.</p> <p>25 MR. HIRSCH: It's a question.</p>

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<p style="text-align: right;">54</p> <p>1 Krelman</p> <p>2 International, Inc.?</p> <p>3 A Correct.</p> <p>4 Q Is it the case that you never</p> <p>5 communicated with an attorney where you were</p> <p>6 acting on behalf of PGB International, LLC?</p> <p>7 A Correct.</p> <p>8 Q Since 2002, have you communicated with</p> <p>9 an attorney or they with you with regard to</p> <p>10 PITTRA G.B. International, Inc. where there</p> <p>11 was a human intermediary?</p> <p>12 A No.</p> <p>13 Q Same question with regard to PGB</p> <p>14 International, LLC.</p> <p>15 A No.</p> <p>16 Q Were you a shareholder of PITTRA G.B.</p> <p>17 International, Inc.?</p> <p>18 A I can't recall.</p> <p>19 Q Were you a director of PGB</p> <p>20 International, Inc.?</p> <p>21 A I can't recall.</p> <p>22 Q Were you an officer of PGB</p> <p>23 International, Inc.?</p> <p>24 A I can't recall.</p> <p>25 Q Do you hold an interest or did you</p>	<p style="text-align: right;">56</p> <p>1 Krelman</p> <p>2 A Two, three, and very briefly, hello,</p> <p>3 how are you.</p> <p>4 Q When did these two or three occasions</p> <p>5 take place?</p> <p>6 A At gatherings.</p> <p>7 Q Is Michael Rosenbaum part of your</p> <p>8 family?</p> <p>9 A Not my family.</p> <p>10 Q Well, what family gatherings were they</p> <p>11 that Michael Rosenbaum was present at that</p> <p>12 you were present?</p> <p>13 A Well, he's Art's cousin. He's Art's</p> <p>14 mother's nephew, and when there is an event</p> <p>15 such as, perhaps, an anniversary or things of</p> <p>16 that nature where, you know, family members</p> <p>17 normally do not interact, meet, that would be</p> <p>18 the occasion.</p> <p>19 Q Has Michael Rosenbaum, since 2002,</p> <p>20 been to your home?</p> <p>21 A No.</p> <p>22 Q Have you been to his home?</p> <p>23 A I went to his home. The last time I</p> <p>24 recall was for a Sweet 16 party, which was</p> <p>25 for the granddaughter of a sister.</p>
<p style="text-align: right;">55</p> <p>1 Krelman</p> <p>2 ever hold an interest in --</p> <p>3 MR. HIRSCH: I'm sorry, I think</p> <p>4 I said that wrong the last time. Let</p> <p>5 me just go through it again.</p> <p>6 Q Were you ever a holder of PITTRA G.B.</p> <p>7 International, Inc.?</p> <p>8 A I don't recall.</p> <p>9 Q Were you ever an officer of PITTRA</p> <p>10 G.B. International, Inc.?</p> <p>11 A I do not recall.</p> <p>12 Q Were you ever a director of PITTRA</p> <p>13 G.B. International, Inc.?</p> <p>14 A I do not recall.</p> <p>15 Q Did you ever hold an interest in PGB</p> <p>16 International, LLC?</p> <p>17 A To the best of my recollection, yes.</p> <p>18 Q Did you hold any other position with</p> <p>19 PGB International, LLC at any time?</p> <p>20 A I can't recall.</p> <p>21 Q Did you ever since 2002 did you speak</p> <p>22 with Michael Rosenbaum on any occasion?</p> <p>23 A Yes, in private gatherings.</p> <p>24 Q On how many occasions did you speak</p> <p>25 with Michael Rosenbaum since 2002?</p>	<p style="text-align: right;">57</p> <p>1 Krelman</p> <p>2 Q When was that?</p> <p>3 A I can't recall.</p> <p>4 Q Did you, since 2002, ever speak with</p> <p>5 Mr. Rosenbaum on the telephone?</p> <p>6 A Never.</p> <p>7 Q Have you ever been to the offices of</p> <p>8 the Budd Larner firm?</p> <p>9 A Yes.</p> <p>10 Q Have you been there since 2002?</p> <p>11 A I don't recall when I went.</p> <p>12 Q The last time you were there was</p> <p>13 approximately when?</p> <p>14 A I don't recall.</p> <p>15 Q Do you recall whom you met with when</p> <p>16 you were there?</p> <p>17 A No.</p> <p>18 Q Did you meet with an attorney or</p> <p>19 attorneys when you met with the Budd Larner</p> <p>20 firm?</p> <p>21 A Well, obviously there was one or more</p> <p>22 attorneys there, but I don't recall who.</p> <p>23 Q Without stating what was said, what</p> <p>24 entity or business did your visit there</p> <p>25 relate to?</p>

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<p style="text-align: right;">94</p> <p>1 Krelman</p> <p>2 When they would talk to make an</p> <p>3 alliance with G.B., Ross Browne's business,</p> <p>4 then it came about that he would retain a</p> <p>5 certain percentage of ownership.</p> <p>6 Q And that was first PITTRA; correct?</p> <p>7 A Yes.</p> <p>8 Q Whose idea was it that Mr. Kupperman</p> <p>9 would continue to be involved in the</p> <p>10 business?</p> <p>11 A Whose ID?</p> <p>12 Q Idea, I-D-E-A.</p> <p>13 A That he would continue to be involved</p> <p>14 in --</p> <p>15 Q In the business when it switched from</p> <p>16 PITTRA to PGB.</p> <p>17 MR. LUBETKIN: Object to the</p> <p>18 form.</p> <p>19 A I don't know anyone's particular idea.</p> <p>20 It was just a state of fact.</p> <p>21 Q But you were okay with that; is that</p> <p>22 correct?</p> <p>23 A Yes.</p> <p>24 Q When I asked you about E-mails with</p> <p>25 the accountant, Mr. Sy Helderman, I believe</p>	<p style="text-align: right;">96</p> <p>1 Krelman</p> <p>2 you're saying. He considered me the</p> <p>3 contact to whom to send at the</p> <p>4 business report, which consists of two</p> <p>5 pages.</p> <p>6 The contact with these people</p> <p>7 as it pertains to the performance of</p> <p>8 the accounting was done by Arthur</p> <p>9 Kupperman.</p> <p>10 Q Did Mr. Kupperman ever sign your name</p> <p>11 to a document?</p> <p>12 A Yes.</p> <p>13 Q Did he ever sign your name to a</p> <p>14 document where you had not authorized him to</p> <p>15 sign your name to the document?</p> <p>16 A Yes.</p> <p>17 Q What document was that or what</p> <p>18 document or documents were that?</p> <p>19 A I can't recall.</p> <p>20 Q You don't --</p> <p>21 A I don't recall the document. I know</p> <p>22 it exists. I can't name the documents where</p> <p>23 that was done.</p> <p>24 Q It happened more than once?</p> <p>25 A According to the complaint, yes.</p>
<p style="text-align: right;">95</p> <p>1 Krelman</p> <p>2 you indicated that you didn't remember</p> <p>3 E-mails?</p> <p>4 A Correct.</p> <p>5 Q Are you saying there weren't any or</p> <p>6 you just don't remember whether or not there</p> <p>7 were any?</p> <p>8 A I don't remember.</p> <p>9 Q But you also said you were the client</p> <p>10 contact; do you recall saying that?</p> <p>11 A Correct.</p> <p>12 Q Are you changing your testimony now?</p> <p>13 MR. LUBETKIN: Object to the</p> <p>14 form of that question.</p> <p>15 A I don't believe I changed anything.</p> <p>16 Q So, you were the client contact?</p> <p>17 MR. LUBETKIN: Asked and</p> <p>18 answered.</p> <p>19 MR. HIRSCH: Fine. I withdraw</p> <p>20 the question.</p> <p>21 A I'm sorry, I understand what you're</p> <p>22 saying.</p> <p>23 MR. HIRSCH: I withdraw the</p> <p>24 question.</p> <p>25 THE WITNESS: I understand what</p>	<p style="text-align: right;">97</p> <p>1 Krelman</p> <p>2 Q No, according to you.</p> <p>3 A Well, I go by the complaint.</p> <p>4 Q I'm asking you if you have knowledge</p> <p>5 --</p> <p>6 A Yes.</p> <p>7 MR. LUBETKIN: Again, please</p> <p>8 wait until he finishes his question</p> <p>9 before you answer.</p> <p>10 Q When did you first learn that there</p> <p>11 was a time or times when Mr. Kupperman signed</p> <p>12 your name to a document or documents and you</p> <p>13 had not authorized him to do so?</p> <p>14 A The first time I learned was in my</p> <p>15 attorney's office, when we reviewed the</p> <p>16 complaint.</p> <p>17 Q Was that the complaint of Merrill</p> <p>18 Lynch Business Financial Services in the</p> <p>19 District Court action which was filed in</p> <p>20 approximately October of 2006?</p> <p>21 A I can only say yes to a complaint by</p> <p>22 Merrill Lynch. I don't know about the other</p> <p>23 details.</p> <p>24 Q Upon learning that, did you confront</p> <p>25 Mr. Kupperman?</p>

EXHIBIT “B”

George Hirsch

From: cmecf_help_desk@njb.uscourts.gov [mailto:cmecf_help_desk@njb.uscourts.gov]
Sent: Tuesday, October 23, 2007 10:06 AM
To: CourtMail@njb.uscourts.gov
Subject: Ch-7 06-10889-MS Motion to Compel-PITTRA G.B. Intern

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U.S. Bankruptcy Court

District of New Jersey

Notice of Electronic Filing

The following transaction was received from Staiano, Patricia A. entered on 10/23/2007 at 10:05 AM EDT and filed on 10/23/2007

Case Name: PITTRA G.B. International, Inc.

Case Number: 06-10889-MS

Document Number: 39

Docket Text:

Motion to Compel Compliance by Merrill Lynch Business Financial Services, Inc. with Subpoena, Holding Merrill Lynch Business Financial Services, Inc. in Contempt and Awarding Costs Filed by Patricia A. Staiano on behalf of Benjamin A. Stanziale Jr.. Hearing scheduled for 11/13/2007 at 12:00 PM at MS - Courtroom 3A, Newark. (Attachments: # (1) Application in Support of Motion with exhibits# (2) Proposed Order) (Staiano, Patricia)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:C:\Documents and Settings\bjohnson.000\Desktop\06-10889 Compel Compliance - NOM.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1002741850 [Date=10/23/2007] [FileNumber=17008517-0] [74939814ad98b467895c05cf355e7913bcb22745e94dfad773d317f1fc90e8beb e3ec46d66cea79bc36183438bd67e902a258e6273c309d0f4f5ba274583e0f0]]

Document description:Application in Support of Motion with exhibits

Original filename:C:\Documents and Settings\bjohnson.000\Desktop\06-10889 Compel Compliance - APP.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1002741850 [Date=10/23/2007] [FileNumber=17008517-1] [749df92314c32623a4b5af7cd7d95dde276649f2774e6cc8b23d904f526ee8c7f 7b550d038ecdafcfeba8b5a7c5afeba0c1a5a96b69b0a2f53c947ff01d7920]]

Document description:Proposed Order

Original filename:C:\Documents and Settings\bjohnson.000\Desktop\06-10889 Compel Compliance - ORD.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1002741850 [Date=10/23/2007] [FileNumber=17008517-2] [614d1aa9a20180ed48d60752b499474329ffa5354ddd99832f6049fe585a89695 9ef67261bdec5bdec29a62102213ed887ebe68114a14947c498f6a291468ef9]]

11/28/2007

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06-10889-MS Notice will not be electronically mailed to:

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Scarpone Staiano LLC

11/28/2007

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EXHIBIT “C”

George Hirsch

From: cmecf_help_desk@njb.uscourts.gov
Sent: Tuesday, October 23, 2007 4:43 PM
To: CourtMail@njb.uscourts.gov
Subject: Ch-7 06-10889-MS Motion to Dismiss Case-PITTRA G.B. Intern

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U.S. Bankruptcy Court

District of New Jersey

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The following transaction was received from Hirsch, George R. entered on 10/23/2007 at 4:43 PM EDT and filed on 10/23/2007

Case Name: PITTRA G.B. International, Inc.
Case Number: 06-10889-MS
Document Number: 40

Docket Text:

Motion to dismiss case for other reasons re:lack of corporate authority to file Filed by George R. Hirsch on behalf of Merrill Lynch Business Financial Services Inc.. Hearing scheduled for 11/13/2007 at 12:00 PM at MS - Courtroom 3A, Newark. (Attachments: # (1) Motion To Dismiss# (2) Brief In Support Of Motion To Dismiss# (3) Declaration Of George R. Hirsch In Support Of Motion To Dismiss with exhibits# (4) Proposed Order Dismissing Bankruptcy Case) (Hirsch, George)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:I:\BANKRUPTCY\A..A-MLBFS\PITTRA, PGB, Kupperman, ets\PITTRA BANKRUPTCY\10-23-07 Motion of Dismissal Filing\Notice of Motion to Dismiss.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1002741850 [Date=10/23/2007] [FileNumber=17014620-0] [86be769a7791b6736cb0fb42102917531ade0d9be5317d78a92c49872c57e725ad36b35eb8acbebaf034756eda5b178e32a2f90af34243ed1d23117daa6384f3]]

Document description: Motion To Dismiss

Original filename:I:\BANKRUPTCY\A..A-MLBFS\PITTRA, PGB, Kupperman, ets\PITTRA BANKRUPTCY\10-23-07 Motion of Dismissal Filing\Motion to Dismiss.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1002741850 [Date=10/23/2007] [FileNumber=17014620-1] [5d4b62d8955a3d3f85d8514074e42329dc1073370ec6b699534a7bad1d3b3a07a4807ed0687bcc1b9f4218fcd1fc0ab1fdfbde2f21e30cb6d2e1867038911630]]

Document description:Brief In Support Of Motion To Dismiss

Original filename:I:\BANKRUPTCY\A..A-MLBFS\PITTRA, PGB, Kupperman, ets\PITTRA BANKRUPTCY\10-23-07 Motion of Dismissal Filing\Brief in Support of Motion to Dismiss.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1002741850 [Date=10/23/2007] [FileNumber=17014620-2] [8b28040610e5782153b28d0d0d7e2238b45af9c12e4e69886964c11ea223611a7

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Document description: Declaration Of George R. Hirsch In Support Of Motion To Dismiss with exhibits

Original filename:I:\BANKRUPTCY\A..A-MLBFS\PITTRA, PGB, Kupperman, ets\PITTRA BANKRUPTCY\10-23-07 Motion of Dismissal Filing\Declaration of George R. Hirsch in Support of Motion to Dismiss.pdf

Electronic document Stamp:

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Document description:Proposed Order Dismissing Bankruptcy Case

Original filename:I:\BANKRUPTCY\A..A-MLBFS\PITTRA, PGB, Kupperman, ets\PITTRA BANKRUPTCY\10-23-07 Motion of Dismissal Filing\Order Dismissing Bankruptcy Case.pdf

Electronic document Stamp:

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PITTRA G.B. International, Inc.

11/28/2007

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George Hirsch

From: cmecf_help_desk@njb.uscourts.gov
Sent: Tuesday, October 23, 2007 4:56 PM
To: CourtMail@njb.uscourts.gov
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U.S. Bankruptcy Court

District of New Jersey

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The following transaction was received from Hirsch, George R. entered on 10/23/2007 at 4:56 PM EDT and filed on 10/23/2007

Case Name: PITTRA G.B. International, Inc.
Case Number: 06-10889-MS
Document Number: 41

Docket Text:

Withdrawal of Document (related document:[40] Motion to Dismiss Case, filed by Creditor Merrill Lynch Business Financial Services Inc.) filed by George R. Hirsch on behalf of Merrill Lynch Business Financial Services Inc.. (Hirsch, George)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:I:\BANKRUPTCY\A..A-MLBFS\PITTRA, PGB, Kupperman, ets\PITTRA BANKRUPTCY\10-23-07 Motion of Dismissal Filing\Order On Motion To Dismiss.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1002741850 [Date=10/23/2007] [FileNumber=17014740
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George Hirsch

From: cmecf_help_desk@njb.uscourts.gov
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Subject: Ch-7 06-10889-MS Motion to Dismiss Case-PITTRA G.B. Intern

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Case Name: PITTRA G.B. International, Inc.
Case Number: 06-10889-MS
Document Number: 42

Docket Text:

Motion to dismiss case for other reasons re:lack of corporate authority Filed by George R. Hirsch on behalf of Merrill Lynch Business Financial Services Inc.. Hearing scheduled for 11/13/2007 at 12:00 PM at MS - Courtroom 3A, Newark. (Attachments: # (1) Motion To Dismiss# (2) Brief Brief In Support Of Motion To Dismiss# (3) Declaration Of George R. Hirsch# (4) Proposed Order) (Hirsch, George)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:I:\BANKRUPTCY\A..A-MLBFS\PITTRA, PGB, Kupperman, ets\PITTRA BANKRUPTCY\10-23-07 Motion of Dismissal Filing\Notice of Motion to Dismiss.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1002741850 [Date=10/23/2007] [FileNumber=17014784-0] [6fe62adcdfd0039fd7a70be0dc2e0228c1ffcba9bf1172362e249a6fbf8835bf29696fef2133878d878cc7afb37313e2c21e32c6c44d79dc9641936223ff9a6f]]

Document description: Motion To Dismiss

Original filename:I:\BANKRUPTCY\A..A-MLBFS\PITTRA, PGB, Kupperman, ets\PITTRA BANKRUPTCY\10-23-07 Motion of Dismissal Filing\Motion to Dismiss.pdf

Electronic document Stamp:

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Document description:Brief Brief In Support Of Motion To Dismiss

Original filename:I:\BANKRUPTCY\A..A-MLBFS\PITTRA, PGB, Kupperman, ets\PITTRA BANKRUPTCY\10-23-07 Motion of Dismissal Filing\Brief in Support of Motion to Dismiss.pdf

Electronic document Stamp:

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11/28/2007

Document description: Declaration Of George R. Hirsch

Original filename:I:\BANKRUPTCY\A..A-MLBFS\PITTRA, PGB, Kupperman, ets\PITTRA BANKRUPTCY\10-23-07 Motion of Dismissal Filing\Declaration of George R. Hirsch in Support of Motion to Dismiss.pdf

Electronic document Stamp:

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Document description:Proposed Order

Original filename:I:\BANKRUPTCY\A..A-MLBFS\PITTRA, PGB, Kupperman, ets\PITTRA BANKRUPTCY\10-23-07 Motion of Dismissal Filing\Order On Motion To Dismiss.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1002741850 [Date=10/23/2007] [FileNumber=17014784-4] [1bd51ea886c674d9227e0109ce7a31993a94da63b94a665291c912ca81e36c4c44d03358863c0997ae5b1dbb47acdf1ad4de9926fc27be877c329d24d8ed022f]]

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EXHIBIT “D”

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WRITER'S DIRECT INFORMATION:

October 23, 2007

VIA HAND DELIVERY

James A. Scarpone, Esq.
Robertson, Freilich, Bruno
& Cohen, LLC
One Riverfront Plaza
9th Floor
Newark, New Jersey 07102

Re: **PITTRA G.B. International, Inc.**
Case No: 06-10889 (MS)

Dear Mr. Scarpone:

Some time ago, you sent us a Fed. R. Bankr. P. 2004 Subpoena seeking documents from and an oral examination of our client, Merrill Lynch Business Financial Services Inc. ("MLBFS"). This letter relates to your Subpoena.

BRESSLER, AMERY & ROSS, P.C.

James A. Scarpone, Esq.
October 23, 2007
Page 2

During a conversation we had in September, you advised that the Trustee anticipated filing an adversary proceeding to determine the extent and validity of liens, and I suggested that it was inappropriate to use Rule 2004 as a substitute for discovery in such an action. You indicate that you would simply file the action. Furthermore, within the past several weeks, we have learned that this bankruptcy case may not be supported by proper corporate authorization. Accordingly, we question the propriety of the Subpoena.

Nevertheless, and without prejudice to MLBFS' rights, we are herewith producing documents bates stamped as 00001 through 01386. As you know, MLBFS produced to you thousands of pages of documents in September 2006 in response to a prior Rule 2004 Subpoena which you served. This completes the production of documents on behalf of MLBFS and constitutes all relevant non-privileged documents except for MLBFS' internal manuals, guidelines, and operating procedures which are not the proper subject of inquiry.

Yours very truly,



George R. Hirsch

GRH/msk
Enclosure

cc: Patricia A. Staiano, Esq. (w/o encl. via telecopy only)

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GRHIRSC	MANAGE32	View	11/28/2007 12:36	0:0:0	0	NJ-GRHIR
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